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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91173564		
Party	Defendant MAGCHEM INC.		
Correspondence Address	HAROLD L. NOVICK NATH & ASSOCIATES PLLC 112 S. WEST STREET ALEXANDRIA, VA 22314 UNITED STATES dstarr@nathlaw.com, hnovick@novick.com		
Submission	Response to Board Order/Inquiry		
Filer's Name	Harold L. Novick/HDS		
Filer's e-mail	dstarr@nathlaw.com, hnovick@novick.com		
Signature	/H. David Starr for Harold L. Novick/		
Date	04/24/2008		
Attachments	response to show cause.pdf (3 pages)(52294 bytes)		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TRADEMARK TRIAL AND APPEAL BOARD

3M COMPANY)) Opposition No. 91173564)	
	Opposer,)		
v.))))	ORDER AN	E TO SHOW CAUSE ID CONSENTED TO SUSPEND
MAGCHEM INC.,)))		
	Applicant.)))	Mark: Serial No.: Filed:	AQUACURE 78/180,141 October 30, 2002

Responsive to the Board's show cause order, dated March 25, 2008, Applicant, MAGCHEM INC. ("Applicant"), by its counsel, hereby requests that the Board with Consent of Opposer set aside its notice of default, suspend the proceedings for thirty (30) days, reset the discovery and testimony periods accordingly, and allow Applicant thirty (30) days thereafter to file its Answer. Applicant and Opposer are in the process of signing a Settlement Agreement, and the parties had previously anticipated having this matter resolved in advance of the Answer date.

Counsel for Opposer, Chet Garner, consented to the granting of this Request by telephone on April 23, 2008. The thirty (30) day suspension requested herein is a reasonable and necessary request in order to complete execution of the agreed-to Settlement Agreement that is expected to obviate the need for further proceedings.

Accordingly, Applicant submits that it has shown good cause for setting aside the notice of default and for suspending the period for filing an Answer and resetting the discovery and testimony

Opposition No. 91173564

periods.

For all the foregoing reasons, approval of the present consented motion is respectfully requested.

Date: April 24, 2008

Respectfully submitted,

Marðid L. Novick H. David Starr

THE NATH LAW GROUP 112 S. West Street Alexandria, Virginia 22314 (703) 548-6284

Attorneys for MAGCHEM INC.

CERTIFICATE OF SERVICE

This is to certify that I am on this date serving a copy of the within and foregoing upon the attorney for Opposer by depositing a true and correct copy of same in the United States Mail in an envelope with sufficient first class postage affixed thereon to ensure delivery, addressed as follows:

Michael Metteauer, Esq.
Chet Garner, Esq.
FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701

Harold L. Novick

H. David Starr

Attorneys for Applicant

Date: April 24, 2008

THE NATH LAW GROUP 112 S. West Street Alexandria, Virginia 22314 (703) 548-6284